

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

DARRELL KIMBROUGH, MSN, FNP-C

Plaintiff,

Vs.

**NAEEM KAHN, M.D. and
AMARILLO URGENT CARE, LLC**

Defendants.

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CIVIL NO. 2:18-CV-00082-D

JOINT MOTION TO STAY SCHEDULING DEADLINES

Darrell Kimbrough, MSN, FNP-C (“Plaintiff”) along with Amarillo Urgent Care, LLC and Naeem Khan, M.D. (collectively, “the Defendants”) brings this Joint Motion to Stay Scheduling Deadlines in the above styled action.

On July 29, 2018, Defendants filed an Unopposed Motion to Consolidate the following two actions: *Darrell Kimbrough, MSN, FNP-C v. Naeem Khan, M.D. and Amarillo Urgent Care*, No. 2:18-cv-00082-D (the “Kimbrough Case”), filed April 27, 2018; and *Mary Benard, MSN, FNP-C and Tina Spohn-Ledford, MSN, FNP-C v. Naeem Khan, M.D. and Amarillo Urgent Care, LLC*, No. 2:18-cv-00111-M (individually, “Bernard” and Spohn-Ledford” and collectively the “Benard/Spohn-Ledford Case”), filed June 15, 2018 (“Motion to Consolidate”). (Doc. 10.)

In the Kimbrough Case, pursuant to the Court’s June 22, 2018 Order to Submit Joint Proposed Scheduling Order and Setting Rule 16 Scheduling Conference (“June 22, 2018 Order”), the parties are required to submit their joint proposed scheduling order on or by July 30, 2018. The June 22, 2018 Order also set the Rule 16 scheduling conference for August 2, 2018. In the Benard/Spohn-Ledford Case, Defendants’ answer is not yet due by agreement of the parties, and there are currently no scheduling deadlines pending.

The Motion to Consolidate presents good cause for delaying the Court's obligation to enter a scheduling order under Rule 16(b)(2). Delaying the scheduling deadlines would promote efficiency and conserve judicial resources. Therefore, the parties request that the Court vacate the July 30, 2018 scheduling order deadline and August 2, 2018 Rule 16 scheduling conference and reschedule those dates until after Defendants file their answer to the Complaint in the Benard/Spohn-Ledford Case.

Dated: July 26, 2018

RESPECTFULLY SUBMITTED,

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